

July 31, 2013

Burnet R. Maybank, III
Member
Admitted in SC

VIA ELECTRONIC FILING

Public Service Commission of South Carolina
Docketing Department
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: Docket No. 2013-55-C
South Carolina Telephone Coalition Petition to Modify Alternative Regulation
Plans Filed Pursuant to S.C. Code Section 58-9-576(B) to Take Into Account
Recent Action by the Federal Communications Commission

Dear Ladies and Gentlemen:

Charleston
Charlotte

Attached for filing please find Windstream South Carolina, LLC's Petition to Intervene Out of Time in the above-referenced matter.

Columbia
Greensboro

By copy of this letter, I am serving all parties of record with a copy of this Petition to Intervene Out of Time as indicated on the attached Certificate of Service.

Greenville
Hilton Head
Myrtle Beach

If you have any questions, please do not hesitate to contact us.

Raleigh

Very truly yours,



Burnet R. Maybank, III
BRM/sjn
Enclosures

cc: Nanette S. Edwards, Esq. via email

STATE OF SOUTH CAROLINA

(Caption of Case)

South Carolina Telephone Coalition
Petition to Modify Alternative
Regulation Plans Filed Pursuant to S.C.
Code Section 58-9-576(B) to Take Into
Account Recent Action by the Federal
Communications Commission

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2013 - 55 - C

(Please type or print)

Submitted by: Burnet R. Maybank, III

SC Bar Number: 3699

Address: Nexsen Pruet, LLC

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1230 Main Street, Suite 700

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Columbia, SC 29201

Other:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input checked="" type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2013-55-C

IN RE:

South Carolina Telephone Coalition)	
Petition to Modify Alternative)	
Regulation Plans Filed Pursuant to S.C.)	PETITION TO INTERVENE
Code Section 58-9-576(B) to Take Into)	Out of Time
Account Recent Action by the Federal)	
Communications Commission)	

Petitioner Windstream South Carolina, LLC (“Windstream” or “Petitioner”), by its undersigned attorneys, hereby petitions the South Carolina Public Service Commission (the “Commission”), pursuant to Rule 103-825 of the Commission’s Rules, for an order allowing Windstream to intervene out of time in the above referenced Docket, with full rights to participate as a party of record. In support of its petition, Windstream would show the Commission the following:

1. On February 8, 2013, the South Carolina Telephone Coalition (“SCTC”) filed a Petition with the Commission to establish new price caps for basic local residential service provided under alternative regulation plans filed by SCTC member companies. The SCTC stated in its petition that the existing plans cap basic local residential and single-line business service at the statewide average rates for such service, and requested that the Commission establish new price caps for basic local residential service at the applicable nationwide average rates for this

service. The SCTC feels that this action is necessary to allow SCTC member companies the flexibility to meet rate floors established by the Federal Communications Commission (“FCC”).

2. The South Carolina Cable TV Association (“SCCTA”) recently filed a Motion in this Docket raising issues with respect to the relief sought by the SCTC member companies in this Docket and its effect on the South Carolina Universal Service Fund (“State USF”). The SCTC has filed a response to the SCCTA’s Motion.

3. Windstream is a carrier authorized by the Commission to provide telecommunications services in South Carolina. Windstream pays into the State USF. As such, Windstream has an interest in this proceeding, will be affected by the outcome of this proceeding, and seeks to participate in this Docket in order to protect and pursue its interests.

4. Petitioner should therefore be permitted to intervene in this proceeding in order to participate fully and present testimony and other evidence as appropriate.

5. Windstream has not yet developed a position on the issues in this proceeding.

6. Petitioner’s authorized representative in this proceeding is:

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NEXSEN PRUET, LLC
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Columbia, SC 29202
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7. Windstream asserts that the granting of its Petition to Intervene Out of Time will not in any way delay the proceedings in this Docket.

WHEREFORE, Windstream prays for the Commission to:

- a. Grant this Petition to Intervene and make Petitioner a party of record in Docket No. 2013-55-C, allowing Petitioner to participate fully and take such positions as it deems advisable; and
- b. Grant such other relief as the Commission deems just and proper.

Respectfully submitted,
NEXSEN PRUET, LLC
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Attorneys for Windstream South Carolina, LLC

July 31, 2013
Columbia, South Carolina

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2013-55-C

IN RE:

South Carolina Telephone Coalition)	
Petition to Modify Alternative)	
Regulation Plans Filed Pursuant to S.C.)	CERTIFICATE OF SERVICE
Code Section 58-9-576(B) to Take Into)	
Account Recent Action by the Federal)	
Communications Commission)	

This is to certify that I have caused to be served this day, the Petition to Intervene filed by Windstream South Carolina, LLC, as follows:

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July 31, 2013
Columbia, South Carolina

s/ Shirley J. Neal
Shirley J. Neal, Paralegal